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*Intellectual Property Practice*

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**OFFICIAL BUSINESS**

Date: February 3, 2005

To: Examiner: Christopher L. Chin  
Art Unit: 1641

Fax No.: 703-872-9306

From: Kevin C. Brown

Subject: U.S. Application Ser. No. 10/798,857  
Filed: March 11, 2004  
Conf. No.: 7179  
Title: METHOD FOR DETECTING THE PRESENCE OF A SINGLE  
TARGET NUCLEIC ACID IN A SAMPLE

Our Ref.: 832\_001 DIV3

You should receive 9 page(s) including this cover sheet. If you do not receive all pages, please call (315) 233-8300.

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following paper(s) is/are being facsimile transmitted to 703-872-9306 at the Patent and Trademark Office on February 3, 2005:

• Amendment Transmittal (in duplicate)	<u>2</u> pages
• Preliminary Amendment (pages 1-6)	<u>6</u> pages
• This Cover Sheet	<u>1</u> page

  
Janet M. Stevens

Total Pages

9

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**BURR & BROWN**

PATENT AMENDMENT TRANSMITTAL (Provisions of 37 CFR 1.136 Apply)				RECEIVED CENTRAL FAX CENTER
Application Number	10/798,857	Filing Date	March 11, 2004	FEB 03 2005
Group Art Unit	1641	Examiner Name	Christopher L. Chin	
Confirmation No.	7179	Attorney Docket No.	832_001 DIV3	
Inventor(s)	James F. Brown			
Invention:	METHOD FOR DETECTING THE PRESENCE OF A SINGLE TARGET NUCLEIC ACID IN A SAMPLE			

Transmitted herewith is an Amendment in the above-identified application. The fee has been calculated as follows:

#### CLAIMS AS AMENDED

(1)	(2) Claims Remaining After Amendment	(3)	(4) Highest Number Previously Paid	(5) No. of Extra Claims Present	(6) Rate (Large Entity)	(7) Additional Fee
TOTAL CLAIMS	8	MINUS	20	0	\$50.00	\$00.00
INDEP. CLAIMS	4	MINUS	4	0	\$200.00	\$00.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$00.00

#### EXTENSION OF TERM

- ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
- ☐ This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The requested extension and appropriate non-small entity fee are as follows:
- ☐ One Month (37 CFR 1.17(a)(1)) ..... \$120.00
  - ☐ Two Month (37 CFR 1.17(a)(2)) ..... \$450.00
  - ☐ Three Month (37 CFR 1.17(a)(3)) ..... \$1,020.00

#### TOTAL FEES DUE

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount is reduced by one-half, and the resulting fee is:

#### FEE PAYMENT

- ☒ No additional fee is required. ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Charge Deposit Account 50-1446 in the amount of \$. Enclosed is a duplicate copy of this sheet.
- ☒ Please charge any fees which may be required, or credit any overpayment, to Deposit Account 50-1446.

Submitted By:					
Name (Print Type)	Kevin C. Brown	Reg. No.	32,402	Customer No.	025191
		Telephone	(315) 233-8300	Facsimile	(315) 233-8320
Signature	<i>Kevin C. Brown</i>	Date	February 3, 2005		

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*Janet M. Stevens*  
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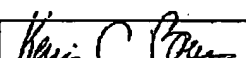
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|--|------------|--|
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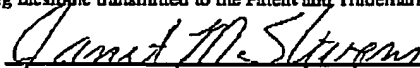
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Name (Print Type)	Kevin C. Brown	Reg. No.	32,402	Customer No.	025191
		Telephone	(315) 233-8300	Facsimile	(315) 233-8320
Signature				Date	February 3, 2005

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Janet M. Stevens

Practitioner's Docket No.: 832\_001 DIV3

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re the application of: James F. Brown

Ser. No.: 10/798,857

Group Art Unit: 1641

Filed: March 11, 2004

Examiner: Christopher L. Chin

Confirmation No.: 7179

For: METHOD FOR DETECTING THE PRESENCE OF A SINGLE TARGET NUCLEIC  
ACID IN A SAMPLE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**PRELIMINARY AMENDMENT**

Sir:

Prior to examination, please amend the subject application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page  
2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.